

2002 SESSION
VIRGINIA ACTS OF ASSEMBLY -- CHAPTER ____

An Act to amend and reenact §§ 3.07 and 15.10, as amended, of Chapter 536 of the Acts of Assembly, 1950, which provided a Charter for the City of Alexandria, relating to the induction of members of council and to the school board and school division, and to amend the said Chapter 536 of the Acts of Assembly, 1950, by adding thereto §§ 2.04.3, 5.29 and 5.30, relating to membership in the local housing authority board of directors, imposition of a local recordation tax and calculation of land area for open space taxation.

Be it enacted by the General Assembly of Virginia:

1. That §§ 3.07 and 15.10 of Chapter 536 of the Acts of Assembly of 1950, as amended, are amended and reenacted, and that the said Chapter 536 of the Acts of Assembly, 1950, is amended by adding thereto §§ 2.04.3, 5.29 and 5.30, as follows:

Sec. 2.04.3. Alexandria redevelopment and housing authority board of directors.

Notwithstanding any contrary provision of law, general or special, the council may, by ordinance adopted from time to time, alter from between seven and nine the number of members comprising the board of directors of the Alexandria Redevelopment and Housing Authority.

Sec. 3.07. Induction of members.

The council members in office at the time this charter takes effect shall continue in office through the thirtieth of June, 1952, or until their successors shall have been elected and take office. The first meeting of a newly elected council shall take place at 7:30 P.M. on the first day of July following their election, or if such day shall fall on Saturday, Sunday or a legal holiday then on the next business day following the fourth day of July. (Acts 1968, ch. 510, § 1; Acts 1971, Ex. Sess., ch. 166, § 1)

Sec. 5.29. City recordation tax.

In addition to the state recordation tax imposed by law, the council may impose by ordinance and levy a city recordation tax in an amount up to two-thirds of the amount of state recordation tax. No tax shall be levied pursuant to such ordinance when the state recordation tax imposed under § 58.1-800 et seq. of the Code of Virginia, 1950, as amended, is fifty cents. Any amount collected attributable to the maximum recordation tax authorized pursuant to this section, above the maximum local recordation tax authorized under general law, shall be used exclusively for acquisition or preservation of open-space land as defined in the ordinance, or the acquisition of development rights to real property for the purpose of acquiring or preserving open-space land. No increase in the maximum authorized recordation tax pursuant to this section above that authorized under general law shall be effective until the increase shall have been approved by referendum by the qualified voters of the city, as provided in section 3.13 of this charter.

Sec. 5.30. Calculation of real estate area devoted to open space use.

The council may provide by ordinance that, in calculating the area of land categorized as real estate devoted to open space use pursuant to § 58.1-3230 of the Code of Virginia, 1950, as amended, the director of real estate assessments shall round the amount of land otherwise eligible for such categorization, of one quarter of an acre but less than two acres in size, to two acres.

Sec. 15.10 School board and school districts.

- (a) The City of Alexandria shall constitute a single school division.
- (b) The supervision of schools in the City of Alexandria shall be vested in a school board consisting of between seven and nine members, as provided by ordinance adopted by the council. Members of the school board shall be selected by direct election by the voters, unless and until a referendum is passed in favor of changing the method of selecting board members to appointment by the city council, as provided in § 22.1-57.4 of the Code of Virginia, 1950, as amended. The school board members shall be elected at large or from election districts, or a combination thereof, as provided by ordinance, and the ~~council shall establish by ordinance~~ shall establish the number and boundaries of the election districts, ~~if any.~~ The ordinance may provide for the election of the school board chairman by the voters at large. Elections for school board members shall be held to coincide with the elections for members of the city council which, pursuant to § 10.01 of this charter, are held every three years on the first Tuesday of May. The terms of office of school board members shall commence on the July 1 following the members' elections, shall be for three years and shall run concurrently. Elections for school board members shall be held in accordance with the general laws of the Commonwealth relating to general elections; however, where the provisions of such laws are inconsistent with the provisions of this section, the provisions of this section shall apply.
- (c) Notwithstanding any contrary provision of law, general or special, a vacancy from whatever cause in the office of school board member filled by direct election by the voters shall be filled as follows:
 - (1) A vacancy which occurs on or before 180 days prior to the next ensuing regular school board election shall be filled by a special popular election for the unexpired term of the office. In the event of such vacancy, the school board shall by resolution certify that such vacancy exists to the Circuit Court of the City of Alexandria, and the said court shall order a special election to be held not less than 40, nor more than 60 days after the filing of the resolution to fill the vacancy. Candidates shall file their declarations of candidacy and any statements or petitions required by general law not less than 30 days before said election. The election shall be conducted, and the results thereof ascertained, in the manner provided by law for the conduct of elections and by the regular election officials of the city;
 - (2) A vacancy which occurs within 180 days of the next ensuing regular school board election shall be filled for the unexpired term by appointment by the chief judge of the Circuit Court of the City of Alexandria;
 - (3) Unless the chairman of the school board is elected by the voters at large, ~~W~~when a vacancy on the school board is created by the departure of the board chairman, the remaining members of the board shall, as soon as practicable and by majority vote, select a new chairman

from among the members. When a vacancy on the school board is created by the departure of board chairman elected by the voters at large, the vice chairman shall serve as chairman, until a new chairman is elected as provided in subsection (c)(1), or until the next regular school board election, which ever occurs first. (Acts 1962, ch. 61, § 1; Acts 1964, ch. 288; Acts 1972, ch. 808, § 1; Acts 1976, ch. 669; Acts 1996, ch. 885, § 1)

2. That an emergency exists and this Act shall be in force from its passage.

President of the Senate

Speaker of the House of Delegates

Approved:

Governor

- CITY SEAL -

10B
11-17-01

NOTICE OF PUBLIC HEARING ON
AND CONSIDERATION OF PROPOSED
AMENDMENTS TO THE CHARTER OF
THE CITY OF ALEXANDRIA, VIRGINIA

A public hearing will be held by the Alexandria City Council on Saturday, November 17, 2001, beginning at 9:30 a.m. At the hearing, citizens will have the opportunity to comment on whether the City should request the Virginia General Assembly to amend the Alexandria City Charter to provide:

(1) authority for the City Council to adopt an ordinance to increase the local recordation tax (paid when real estate is transferred from one owner to another), subject to referendum approval by the voters in the City, and provide that the additional revenue be used for the acquisition and preservation of open space in the City;

(2) authority for the City Council to adopt an ordinance to reduce from two acres, to one-quarter of an acre, the minimum size lot which is eligible for a reduction in real estate taxes, as a lot devoted to open space use;

(3) authority for the City Council to adopt an ordinance to reduce the number of members comprising the Alexandria Housing Authority Board of Directors from nine members, to five to seven members, as determined by ordinance;

(4) authority for the City Council to adopt an ordinance providing for the election by the voters of the Alexandria School Board, comprised of between seven and nine members, elected by district or at large, or in some combination thereof, for the at large election of the board chairperson, and for the establishment of election district boundaries, and

(5) authority for a newly elected City Council to conduct its first meeting on July 1st following the election, or on the first business day after July 4th, if July 1st falls on a Saturday or Sunday.

This description of the proposed charter amendments is intended merely as a summary. The exact nature and detail of the amendments, if approved by city council, will be set out in the text of a Bill to be transmitted to the General Assembly. Anyone who has questions with regard to the proposed amendments may call the Legislative Director, Bernard J. Caton, at (703) 838-3828.

Philip Sunderland
City Manager

To be published in the:

Alexandria Journal on Thursday, November 1, 2001

Alexandria Gazette Packet on Thursday, November 1, 2001